



**The Commonwealth of Massachusetts**

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**DEPARTMENT OF  
TELECOMMUNICATIONS AND ENERGY**

MEMORANDUM

TO: Service List

FROM: William H. Stevens, Jr., Hearing Officer

RE: NSTAR Electric, D.T.E. 03-121 (Schedule for Comments on Settlement)

DATE: June 7, 2004

CC: Mary Cottrell, Secretary  
Commission

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On June 2, 2004, NSTAR Electric ("NSTAR Electric" or the "Companies"), the Commonwealth of Massachusetts Division of Energy Resources ("DOER"), Associated Industries of Massachusetts ("AIM"), the Solar Energy Business Association of New England ("SEBANE"), and the Conservation Law Foundation ("CLF") filed with the Department of Telecommunications and Energy ("Department") a joint request to modify the briefing schedule ("Joint Request"). The Joint Request stated that various parties have reached an agreement in principle and anticipate filing an offer of settlement with the Department on Friday, June 4, 2004 (id.).

I allowed the Joint Request, suspended the briefing schedule, and established a schedule for comments in the event an offer of settlement was filed on June 4, 2004. NSTAR Electric, D.T.E. 03-121 (Hearing Officer Ruling Revising Briefing Schedule (June 2, 2004)). On June 4, 2004, a Joint Motion for Approval of an Offer of Settlement ("Joint Motion") and Offer of Settlement ("Settlement") were submitted by e-mail by: NSTAR Electric; DOER; AIM; SEBANE; CLF; and Boston Public Schools; Co-Energy America, Inc, National Association of Energy Service Companies, Inc.; and Siemens Building Technologies, District One (together, the "Joint Supporters") (all parties to the Joint Motion and the Settlement, the "Settling Parties"). In consideration of the statutory deadline for the Department to act upon the tariffs, the complexity of the issues resolved in the Settlement, and the number of parties to this proceeding, pursuant to 220 C.M.R. § 1.01(4), I find that good cause appears to waive the Department's procedural requirement that an original hard copy of the Joint Motion and Settlement be filed on June 4, 2004. 220 C.M.R. § 1.02(8). However, the Settling Parties must file hard copies no later than June 7, 2004.

Comments by non-signatories to the Settlement are due June 11, 2004, and reply to comments on the Settlement are due June 18, 2004. NSTAR Electric, D.T.E. 03-121 (Hearing Officer Ruling Revising Briefing Schedule (June 2, 2004)).

When submitting comments in this proceeding, I again remind parties and limited participants of: (1) the Amended Ground Rules (see ¶ 9 (Number of Copies) and ¶ 10 (Address of Filings)); and (2) the Department's procedural regulations, including, but not limited to, 220 C.M.R. §§ 1.02 (8); 1.11(3), (4), and (5).

I remind parties and participants that, in addition to filing paper copies, all comments must be submitted to the Department in electronic format using one of the following methods: (1) by e-mail attachment to [dte.efiling@state.ma.us](mailto:dte.efiling@state.ma.us), [william.stevens@state.ma.us](mailto:william.stevens@state.ma.us), and [john.cope-flanagan@state.ma.us](mailto:john.cope-flanagan@state.ma.us); or (2) on a 3.5" floppy diskette, IBM-compatible format. The text of the e-mail or the diskette label must specify: (1) an easily identifiable case caption; (2) docket number; (3) name of the person or company submitting the filing; and (4) a brief descriptive title or document (e.g., Comments or Reply Comments). The electronic filing should also include the name, title and phone number of a person to contact in the event of questions about the filing. Text responses should be written in either Word Perfect (naming the document with a ".wpd" suffix) or in Microsoft Word, (naming the document with a ".doc" suffix). Data or spreadsheet responses should be compatible with Microsoft Excel.

Finally, due to the number of anticipated filings in this proceeding, I request that all comments be three-hole punched.